

REMARKS

The Examiner's reconsideration of the application is requested in view of the amendments above and comments which follow.

In the Office Action, the Examiner has rejected all of the claims as either being anticipated by, or obvious over, newly-cited Vierkoetter European Publication No. 0305895. Reconsideration is requested.

First of all, claim 1 has been amended by specifying that the pair of opposed jaws are moveable relative to one another. Also, typographical errors in claims 11 and 16 have been corrected.

The examiner has identified members 2 and 5 shown in Figure 1 of Vierkoetter as receiving means comprising a pair of opposed jaws.

Amended claim 1 now specifies that the jaws are moveable relative to one another.

The members 2 and 5 identified by the examiner are upper and lower parts of a box. The members 2 and 5 are joined by side walls, which are shown in Figure 2 of Vierkoetter. As members 2 and 5 are joined, they are not moveable relative to one another, as required by amended claim 1.

Amended claim 1 is therefore not anticipated by Vierkoetter.

The examiner has identified the spring 12 shown in Figure 2 of Vierkoetter as biasing means for urging the receiving means (members 2 and 5, identified by the examiner) into engagement with the blister pack.

The spring 12 identified by the examiner is described at column 3, line 28 as a "Rückstellfeder", which can be translated as "return spring". The spring 12 acts between the upper part 2 of the box and the plunger 10 so as to urge the plunger 10 upwards, away from the blister pack. The spring 12 does not urge the members 2 and 5 into engagement with the blister, as required by amended claim 1.

For this reason, also, amended claim 1 is therefore not anticipated by Vierkoetter.

The method of operation of the apparatus of Vierkoetter is explained at column 3, lines 42-57. A user uses one hand to push the lowest blister pack towards the opening 8 by means of the slot 6 (shown in Figure 3) in the lower member 5. A blister of the lowest blister pack is held in alignment with the plunger 10 by the user pushing the blister pack and the engagement of a blister with the lip 9. While the user holds the blister in alignment with the plunger 10 with one hand, the plunger is depressed with the other hand to release the tablet from the blister. The apparatus of Vierkoetter therefore requires a user to use both hands to operate it.

The apparatus of amended claim 1 requires a user to use only one hand to operate it, because the moveable jaws and the biasing means operable to bias the jaws into a neutral position in which they are spaced apart so as to be able to receive a blister pack allow a blister to be inserted between the jaws with one hand, the blister being held by the jaws until the abutment means is operated, by the same hand, to release to the tablet from the blister.

This is a considerable advantage over the apparatus of Vierkoetter, because such apparatus is typically used by person who lack physical strength or co-ordination.

Amended claim 1 is therefore non-obvious over Vierkoetter.

Claims 2, 3, 5-9 and 11-16 are submitted to be not anticipated by, and non-obvious over, Vierkoetter by virtue of their dependency from amended claim 1.

In view of the foregoing, it is submitted that the application, as amended, is now

in condition for allowance, and the Examiner's further and favorable reconsideration in that regard is urged.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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